

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PATHAN ATIKURRAHEMAN,

Petitioner,

v.

MERRICK GARLAND, et al.,

Respondent.

Case No. 2:24-cv-01256-DGE-TLF

ORDER FOR RETURN AND  
STATUS REPORT, 28 U.S.C §  
2241 PETITION

Petitioner has filed a 28 U.S.C. § 2241 habeas petition, challenging his detention by U.S. Immigration and Customs Enforcement ("ICE"). Having reviewed the petition, the Court ORDERS:

(1) If not previously accomplished, electronic posting of this Order and Petitioner's § 2241 habeas petition shall effect service upon the United States Attorney of the petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon the named respondent(s).

(2) Within 30 days of the date this Order is posted, Respondent(s) shall show cause why a writ of habeas corpus should not be granted by filing a return as provided in 28 U.S.C. § 2243. As a part of such return, Respondent(s) shall address and submit evidence relevant to Petitioner's allegation that his detention is unlawful because ICE is unable to effectuate his removal in the reasonably foreseeable future. Respondent(s) shall file the return with the Clerk of the Court and shall serve a copy upon Petitioner.

1 (3) The return will be treated in accordance with LCR 7(d)(4). Accordingly, on the  
2 face of the return, Respondent shall note it for consideration no earlier than 28 days  
3 after it is filed, and the Clerk shall note the return accordingly. Petitioner may file and  
4 serve a response no later than 21 days after the return is filed, and Respondent may file  
5 and serve a reply no later than 28 days after the return is filed.

6 (4) If Petitioner's custody status changes at any point during this litigation,  
7 Respondent(s) shall file a status update with the Court as soon as possible and no later  
8 than 14 days after the change.

9 (5) The Clerk is directed to send copies of this Order to Petitioner, the Federal  
10 Public Defender, and the Honorable David G. Estudillo.

11 Dated this 28th day of August, 2024.

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14 Theresa L. Fricke  
15 Theresa L. Fricke  
16 United States Magistrate Judge  
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